

**U.S. District Court [LIVE AREA]
Middle District of Georgia (Albany)
CIVIL DOCKET FOR CASE #: 1:17-cv-00067-LAG**

PETROFF v. SESSIONS et al
Assigned to: US DISTRICT JUDGE LESLIE ABRAMS
GARDNER
Cause: 05:552 Freedom of Information Act

Date Filed: 03/27/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: Federal Question

Plaintiff

SEAN PETROFF

represented by **SEAN PETROFF**
LEXINGTON
FEDERAL MEDICAL CENTER
Inmate Mail/Parcels
P.O. BOX 14500
LEXINGTON, KY 40512
PRO SE

V.

Defendant

**US Attorney General JEFFERSON B
SESSIONS, III**
TERMINATED: 02/14/2018

represented by **STEWART R BROWN**
US ATTORNEY'S OFFICE
300 MULBERRY ST STE 400
MACON, GA 31202-1702
478-621-2690
Email: stewart.brown@usdoj.gov

Defendant

JOHN DOE
*Office of U.S. Attorney – Middle District
of Georgia*
TERMINATED: 02/14/2018

represented by **STEWART R BROWN**
(See above for address)

Defendant

JOHN DOE
*U.S. Attorney – Middle District of
Georgia*
TERMINATED: 02/14/2018

represented by **STEWART R BROWN**
(See above for address)

Defendant

JOHN DOE
*Assistant U.S. Attorney – Middle District
of Georgia*
TERMINATED: 02/14/2018

represented by **STEWART R BROWN**
(See above for address)

Defendant

**UNITED STATES DEPARTMENT OF
JUSTICE**

represented by **W TAYLOR MCNEILL**
ASST US ATTORNEY
PO BOX 1702
MACON, GA 31202-1702
478-752-3511
Email: taylor.mcneill@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

STEWART R BROWN
(See above for address)
TERMINATED: 05/28/2019

Date Filed	#	Docket Text
03/27/2017	<u>1</u>	COMPLAINT against JOHN DOE(U.S. Attorney – Middle District of Georgia), JOHN DOE(Office of U.S. Attorney – Middle District of Georgia), JOHN DOE(Assistant U.S. Attorney – Middle District of Georgia), JEFFERSON B SESSIONS, III filed by SEAN PETROFF (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(mdm) (Entered: 03/27/2017)
03/27/2017	<u>2</u>	MOTION for Leave to Proceed in forma pauperis filed by SEAN PETROFF. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Envelope)(mdm) (Entered: 03/27/2017)
03/27/2017	<u>3</u>	Consent Form (28 USC 636(c)(1)) sent to SEAN PETROFF. (mdm) (Entered: 03/27/2017)
04/25/2017	<u>4</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis. Plaintiff is DIRECTED to resubmit the exhibits docketed in 1:11-cr-00011-WLS-TQL-1 as exhibits in this case. Ordered by US DISTRICT JUDGE LESLIE J ABRAMS on 04/25/2017. (mdm) (Entered: 04/25/2017)
05/08/2017	<u>5</u>	NOTICE of Filing of Correspondence from US Department of Justice to Petroff regarding incorrect service. (Attachments: # <u>1</u> Envelope)(mdm) (Entered: 05/08/2017)
05/11/2017	<u>6</u>	MOTION for Leave to Submit Exhibits as Directed by the Court Filed by SEAN PETROFF. (Attachments: # <u>1</u> Exhibits A – H – Exhibits docketed in case number 1:11-cr-11)(bcl) (Entered: 05/11/2017)
05/15/2017	<u>7</u>	This is a text only entry; no document issued. ORDER granting <u>6</u> Motion for Leave to File Ordered by US DISTRICT JUDGE LESLIE J ABRAMS on 5/15/17 (rlw2) (Entered: 05/15/2017)
05/19/2017	<u>8</u>	Letter from Sean Petroff regarding service. (Attachments: # <u>1</u> Letter from USDOJ, # <u>2</u> Notice of Lawsuit and Request to Waive Service of a Summons – Session, # <u>3</u> Notice of Lawsuit and Request to Waive Service of a Summons – US Attorney, # <u>4</u> Notice of Lawsuit and Request to Waive Service of a Summons – GAMD US Attorney, # <u>5</u> Envelope)(mdm) (Entered: 05/22/2017)
05/24/2017	<u>9</u>	ORDER FOR SERVICE. Ordered by US DISTRICT JUDGE LESLIE J ABRAMS on 05/24/2017. (mdm) (Entered: 05/24/2017)
05/24/2017	<u>10</u>	USM 285 Process Receipt and Return ISSUED for JOHN DOE(U.S. Attorney – Middle District of Georgia), JOHN DOE(Office of U.S. Attorney – Middle District of Georgia), JOHN DOE(Assistant U.S. Attorney – Middle District of Georgia), JEFFERSON B SESSIONS, III (Attachments: # <u>1</u> USM 285, # <u>2</u> USM 285, # <u>3</u> USM 285)(mdm) (Main Document 10 replaced on 5/24/2017) (mdm). (Entered: 05/24/2017)
05/24/2017	<u>11</u>	Summons Issued as to JOHN DOE(U.S. Attorney – Middle District of Georgia), JOHN DOE(Office of U.S. Attorney – Middle District of Georgia), JOHN DOE(Assistant U.S. Attorney – Middle District of Georgia), JEFFERSON B SESSIONS, III. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons)(mdm) (Entered: 05/24/2017)
05/26/2017	<u>12</u>	USM 285 Process Receipt and Return MAILED for JOHN DOE(U.S. Attorney – Middle District of Georgia), JOHN DOE(Office of U.S. Attorney – Middle District of Georgia), JOHN DOE(Assistant U.S. Attorney – Middle District of Georgia), JEFFERSON B SESSIONS, III (mdm) (Entered: 05/26/2017)
07/11/2017		Filing fee Paid: Initial Partial Filing Fee \$20.15 (bcl) (Entered: 07/11/2017)
07/31/2017	<u>13</u>	MOTION to Dismiss Complaint re <u>1</u> Complaint, : by JOHN DOE(U.S. Attorney – Middle District of Georgia), JOHN DOE(Office of U.S. Attorney – Middle District of Georgia), JOHN DOE(Assistant U.S. Attorney – Middle District of Georgia), JEFFERSON B SESSIONS, III filed by STEWART R BROWN. (Attachments: # <u>1</u> Memorandum in Support)(BROWN, STEWART) (Entered: 07/31/2017)

08/18/2017	<u>14</u>	MOTION for Leave to Amend for Purpose of Enjoining Parties filed by SEAN PETROFF. (Attachments: # <u>1</u> Envelope)(mdm) (Entered: 08/21/2017)
08/18/2017	<u>15</u>	RESPONSE filed by SEAN PETROFF re <u>13</u> MOTION to Dismiss Complaint re <u>1</u> Complaint. (Attachments: # <u>1</u> Envelope)(mdm) (Entered: 08/21/2017)
09/01/2017	<u>16</u>	REPLY to Response filed by JOHN DOE(U.S. Attorney – Middle District of Georgia), JOHN DOE(Office of U.S. Attorney – Middle District of Georgia), JOHN DOE(Assistant U.S. Attorney – Middle District of Georgia), JEFFERSON B SESSIONS, III re <u>13</u> MOTION to Dismiss Complaint re <u>1</u> Complaint, : (BROWN, STEWART) (Entered: 09/01/2017)
09/01/2017	<u>17</u>	RESPONSE filed by JOHN DOE(U.S. Attorney – Middle District of Georgia), JOHN DOE(Office of U.S. Attorney – Middle District of Georgia), JOHN DOE(Assistant U.S. Attorney – Middle District of Georgia), JEFFERSON B SESSIONS, III re <u>14</u> MOTION for Leave to File Amend for Purpose of Enjoining Parties (BROWN, STEWART) (Entered: 09/01/2017)
09/15/2017	<u>18</u>	SURREPLY FILED WITHOUT PERMISSION by SEAN PETROFF re <u>13</u> MOTION to Dismiss Complaint re <u>1</u> Complaint. (Attachments: # <u>1</u> Envelope)(mdm) (Entered: 09/15/2017)
09/15/2017		Notice of Deficiency (related document(s): <u>18</u> SURREPLY FILED WITHOUT PERMISSION by SEAN PETROFF); Document requires leave of court before filing. (mdm) (Entered: 09/15/2017)
09/22/2017	<u>19</u>	MOTION for Leave to Submit, Pursuant to FRE 201, Motion for Order; MOTION for Relief filed by SEAN PETROFF. (Attachments: # <u>1</u> Various Case Related Documents, # <u>2</u> Envelope)(mdm) (Entered: 09/22/2017)
09/25/2017	<u>20</u>	RESPONSE filed by JOHN DOE(U.S. Attorney – Middle District of Georgia), JOHN DOE(Office of U.S. Attorney – Middle District of Georgia), JOHN DOE(Assistant U.S. Attorney – Middle District of Georgia), JEFFERSON B SESSIONS, III re <u>19</u> MOTION for Leave to File Submit, Pursuant to FRE 201, Motion for OrderMOTION for Relief (BROWN, STEWART) (Entered: 09/25/2017)
09/28/2017	<u>21</u>	MOTION for Leave to Submit Traverse Motion filed by SEAN PETROFF. (Attachments: # <u>1</u> Notice of Deficiency, # <u>2</u> Proposed Traverse Response, # <u>3</u> Envelope)(mdm) (Entered: 09/28/2017)
10/23/2017	<u>22</u>	MOTION for Leave to Submit Reply to <u>20</u> Response filed by SEAN PETROFF. (Attachments: # <u>1</u> Envelope)(mdm) (Entered: 10/23/2017)
10/23/2017	<u>23</u>	REPLY to Response filed by SEAN PETROFF re <u>19</u> MOTION for Leave to File Submit, Pursuant to FRE 201, Motion for Order MOTION for Relief. (Attachments: # <u>1</u> Envelope)(mdm) (Entered: 10/23/2017)
02/05/2018	<u>24</u>	MOTION for Rule 16(b) Pretrial Conference filed by SEAN PETROFF. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(mdm) (Entered: 02/05/2018)
02/05/2018	<u>25</u>	MOTION for Rule 26(f) Conference of the Parties filed by SEAN PETROFF. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(mdm) (Entered: 02/05/2018)
02/12/2018	<u>26</u>	RESPONSE filed by JOHN DOE(U.S. Attorney – Middle District of Georgia), JOHN DOE(Office of U.S. Attorney – Middle District of Georgia), JOHN DOE(Assistant U.S. Attorney – Middle District of Georgia), JEFFERSON B SESSIONS, III re <u>24</u> MOTION for Rule 16(b) Pretrial Conference, <u>25</u> MOTION for Rule 26(f) Conference of the Parties (BROWN, STEWART) (Entered: 02/12/2018)
02/14/2018	<u>27</u>	ORDER granting <u>13</u> Motion to Dismiss Complaint; granting in part and denying in part <u>14</u> MOTION for Leave to Amend for Purpose of Enjoining Parties. The following parties are hereby DROPPED as Defendants in this action: (1) Office of the United States Attorney for the Middle District of Georgia; (2) the United States Attorney for the Middle District of Georgia; (3) Assistant United States Attorney for the Middle District of Georgia; (4) United States Attorney General Jefferson Sessions. The Clerk of Court is DIRECTED to add the United States Department of Justice as a defendant in this case and dismiss all other named Defendants. Ordered by US DISTRICT JUDGE LESLIE J ABRAMS on 02/14/2018. (mdm) (Entered: 02/14/2018)

02/26/2018	<u>28</u>	MOTION for Leave to File Petitioner's Motion to Name Defendant/Motion to Amend or Add Defendant Nunc Pro Tunc filed by SEAN PETROFF. (Attachments: # <u>1</u> Motion to Name Defendant/Motion to Amend or Add Defendant Nunc Pro Tunc, # <u>2</u> Envelope)(mdm) (Entered: 02/26/2018)
02/28/2018	<u>29</u>	ANSWER to Complaint by JOHN DOE(U.S. Attorney – Middle District of Georgia), JOHN DOE(Office of U.S. Attorney – Middle District of Georgia), JOHN DOE(Assistant U.S. Attorney – Middle District of Georgia), JEFFERSON B SESSIONS, III, UNITED STATES DEPARTMENT OF JUSTICE.(BROWN, STEWART)Attorney STEWART R BROWN added to party UNITED STATES DEPARTMENT OF JUSTICE(pty:dft) (Entered: 02/28/2018)
03/22/2018	<u>30</u>	<i>RULES 16/26 ORDER</i> :Proposed Scheduling/Discovery order due by 4/23/2018. Ordered by US DISTRICT JUDGE LESLIE J ABRAMS on 3/22/2018. (Attachments: # <u>1</u> Required Form)(far) (Entered: 03/22/2018)
03/26/2018	<u>31</u>	MOTION for Extension of Time to File to Respond to Document <u>29</u> . Filed by SEAN PETROFF. (Attachments: # <u>1</u> Envelope)(bcl) (Entered: 03/26/2018)
04/09/2018	<u>32</u>	MOTION for Leave to Submit Notice to Court filed by SEAN PETROFF. (Attachments: # <u>1</u> Proposed Notice to Court, # <u>2</u> Cover Letter, # <u>3</u> Envelope)(mdm) (Entered: 04/09/2018)
04/10/2018	<u>33</u>	<i>ORDER</i> denying <u>31</u> Motion for Extension of Time. Ordered by US DISTRICT JUDGE LESLIE J ABRAMS on 04/10/2018. (mdm) (Entered: 04/10/2018)
04/27/2018	<u>34</u>	<i>SCHEDULING/DISCOVERY ORDER</i> :Discovery to be complete by 10/22/2018. Dispositive motions due by 11/21/2018. Ordered by US DISTRICT JUDGE LESLIE J ABRAMS on 04/27/2018. (Attachments: # <u>1</u> Proposed Scheduling & Discovery Order)(mdm) (Entered: 04/27/2018)
04/27/2018	<u>35</u>	MOTION for Leave to File Second Notice to Court and Motion for Extension of Time filed by SEAN PETROFF. (Attachments: # <u>1</u> Second Notice to Court, # <u>2</u> Motion for Extension of Time, # <u>3</u> Note & Request for Service, # <u>4</u> Envelope)(mdm) (Entered: 04/27/2018)
05/21/2018	<u>36</u>	MOTION for Leave to Submit Notice from Plaintiff to Courtroom Deputy Filed by SEAN PETROFF. Included in the envelope was a letter addressed to Judge Abrams' Courtroom Deputy. Clerk forwarded the letter to Felicia Rushing. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Notice from Plaintiff to Courtroom Deputy, # <u>3</u> Envelope)(bcl) Modified on 5/23/2018 to add text (bcl). (Entered: 05/22/2018)
05/21/2018	<u>37</u>	MOTION for Leave to File Motion to appeal Document #34 Order Filed by SEAN PETROFF. (Attachments: # <u>1</u> Motion to Appeal Document #34 Order, # <u>2</u> Envelope)(bcl) (Entered: 05/22/2018)
05/25/2018	<u>38</u>	MOTION for Leave to Submit Rule 11 Motion for Sanctions Filed by SEAN PETROFF. (Attachments: # <u>1</u> Motion for Sanctions, # <u>2</u> Exhibit A – Plaintiff's Communication #1, # <u>3</u> Exhibit B – Plaintiff's Communication #2, # <u>4</u> Exhibit C – Plaintiff's Communication #3, # <u>5</u> Exhibit D – Plaintiff's Communication #4, # <u>6</u> Exhibit E – Defendant's April 11, 2018 Letter, # <u>7</u> Envelope)(bcl) (Entered: 05/25/2018)
06/11/2018	<u>39</u>	Letter from Sean Petroff regarding service of Motions and request for copy of docket sheet. (Attachments: # <u>1</u> Envelope)(mdm) ***Copy of docket sheet sent to Petroff with a note indicating he is responsible for service of documents upon opposing parties.*** (Entered: 06/12/2018)
08/13/2018	<u>40</u>	MOTION for Summary Judgment filed by SEAN PETROFF. (Attachments: # <u>1</u> Various Case Related Documents, # <u>2</u> Envelope)(mdm) (Entered: 08/13/2018)
09/04/2018	<u>41</u>	RESPONSE filed by UNITED STATES DEPARTMENT OF JUSTICE re <u>40</u> MOTION for Summary Judgment (Attachments: # <u>1</u> Exhibit 1: Letter from EOUSA dated 7/20/18)(BROWN, STEWART) (Entered: 09/04/2018)
09/11/2018	<u>42</u>	<i>ORDER</i> granting <u>22</u> MOTION for Leave to Submit Reply; denying <u>24</u> MOTION for Rule 16(b) Pretrial Conference; denying <u>25</u> MOTION for Rule 26(f) Conference of the Parties; denying as moot <u>28</u> MOTION for Leave to File Petitioner's Motion to Name

		Defendant/Motion to Amend or Add Defendant Nunc Pro Tunc; denying <u>19</u> MOTION for Leave to Submit, Pursuant to FRE 201, Motion for Order; MOTION for Relief; denying as moot <u>21</u> MOTION for Leave to Submit Traverse Motion. Ordered by US DISTRICT JUDGE LESLIE J ABRAMS on 09/11/2018. (mdm) (Entered: 09/11/2018)
09/27/2018	<u>43</u>	REPLY to Response filed by SEAN PETROFF re <u>40</u> MOTION for Summary Judgment (Attachments: # <u>1</u> Letter from USDOJ and Copy of Email, # <u>2</u> Envelope)(mdm) (Entered: 09/27/2018)
01/08/2019	<u>44</u>	ADMINISTRATIVE ORDER STAYING CIVIL PROCEEDINGS Ordered by US DISTRICT JUDGE CLAY D LAND on 01/08/19. (ans) (Entered: 01/08/2019)
01/14/2019	<u>45</u>	Letter from Sean Petroff regarding status of pending Motion for Summary Judgment re <u>40</u> MOTION for Summary Judgment. (Attachments: # <u>1</u> SASE, # <u>2</u> Envelope)(mdm) (Entered: 01/14/2019)
01/15/2019	<u>46</u>	Letter from Clerk of Court to Sean Petroff in response to <u>45</u> Letter from Sean Petroff regarding status of pending Motion for Summary Judgment. (mdm) (Entered: 01/15/2019)
01/29/2019	<u>47</u>	ORDER LIFTING ADMINISTRATIVE ORDER STAYING CIVIL PROCEEDINGS. Ordered by US DISTRICT JUDGE CLAY D LAND on 01/29/19. (ans) (Entered: 01/29/2019)
03/04/2019	<u>48</u>	Letter from Sean Petroff requesting a copy of the docket sheet. (Attachments: # <u>1</u> Envelope)(mdm) ***Mailed copy of current docket sheet to Petroff.*** (Entered: 03/04/2019)
03/06/2019	<u>49</u>	ORDER denying <u>32</u> Motion for Leave to File; denying <u>35</u> Motion for Leave to File; denying <u>36</u> Motion for Leave to Submit Notice from Plaintiff to Courtroom Deputy; denying <u>37</u> Motion for Leave to File; denying <u>38</u> Motion for Leave to File; denying <u>40</u> Motion for Summary Judgment. Ordered by US DISTRICT JUDGE LESLIE ABRAMS GARDNER on 03/06/2019. (mdm) (Entered: 03/06/2019)
04/05/2019	<u>50</u>	RESPONSE to Court Order filed by UNITED STATES DEPARTMENT OF JUSTICE re <u>49</u> Order on Motion for Leave to File,,, Order on Motion for Miscellaneous Relief,,,,, Order on Motion for Summary Judgment, (Attachments: # <u>1</u> Exhibit 2 to Defendant's Response to ECF 49 March 21, 2019 FOIA Submission, # <u>2</u> Exhibit 3 to Defendant's Response to ECF 49 USPS Form 3811)(BROWN, STEWART) (Entered: 04/05/2019)
04/08/2019	<u>51</u>	MOTION for Stay of Dispositive Ruling and Objections to the Defendant's Fulfillment and Compliance with the Court's Order <u>49</u> Order on Motion for Leave to File, Order on Motion for Miscellaneous Relief, Order on Motion for Summary Judgment filed by SEAN PETROFF. (Attachments: # <u>1</u> Exhibit A – Two Page Letter from Defendant, # <u>2</u> Exhibit B – Pages 3 and 4 from Doc. 20, # <u>3</u> Envelope)(mdm) (Entered: 04/08/2019)
04/09/2019	<u>52</u>	MOTION for Reconsideration re <u>49</u> Order on Motion for Leave to File, Order on Motion for Miscellaneous Relief, Order on Motion for Summary Judgment filed by SEAN PETROFF. (Attachments: # <u>1</u> Exhibit Various Case Related Documents, # <u>2</u> Envelope)(mdm) (Entered: 04/09/2019)
05/10/2019	<u>53</u>	MOTION to Correct Filing Dates re <u>51</u> MOTION to Stay of Dispositive Ruling re <u>49</u> Order on Motion for Leave to File, Order on Motion for Miscellaneous Relief, Order on Motion for Summary Judgment, <u>52</u> MOTION for Reconsideration re <u>49</u> Order on Motion for Leave to File, Order on Motion for Miscellaneous Relief, Order on Motion for Summary Judgment, Filed by SEAN PETROFF. (Attachments: # <u>1</u> Envelope)(bcl) (Entered: 05/10/2019)
05/28/2019	<u>54</u>	NOTICE of Attorney Appearance by W TAYLOR MCNEILL on behalf of UNITED STATES DEPARTMENT OF JUSTICE Attorney W TAYLOR MCNEILL added to party UNITED STATES DEPARTMENT OF JUSTICE(pty:dft) (MCNEILL, W) (Entered: 05/28/2019)
06/11/2019	<u>55</u>	Letter from Sean Petroff regarding Failed mailing (Attachments: # <u>1</u> Envelope)(dht) (Entered: 06/11/2019)